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May 10, 2010

BY ECF AND FIRST CLASS MAIL

The Honorable Arthur D. Spatt
United States District Court
for the Eastern District of New York
1020 Federal Plaza
Central Islip, New York 11722

**Re: *Cassese, et al. v. Washington Mutual Inc, et al.,*
Docket No. 2:05-cv-02724-ADS-ARL**

Dear Judge Spatt:

We are counsel for the certified classes and for Plaintiffs in the referenced class action. In addition to the letter requested by the Court's May 3, 2010 Order, JPMorgan Chase Bank, N.A. ("JPMC") submitted a separate letter to the Court on May 7, 2010. *See Docket No. 300*. In response to the standing issues reiterated in that letter, Class Counsel respectfully adopts and refers the court to its memoranda of law in support of the Plaintiffs' and the classes' motion to join, add or substitute JPMC as a defendant in this action. *See Docket Nos. 249, 285*. JPMC's letter contends that Plaintiffs do not possess claims against JPMC for its own conduct since acquiring Washington Mutual Bank, FSB ("WMBfsb") and the residential loan portfolio of Washington Mutual Bank. As demonstrated in Plaintiffs' motion papers and attachments, the certified classes, by and through Plaintiffs as certified class representatives, do possess claims against JPMC (separate and apart from its status as the express successor to WMBfsb) based upon JPMC's own post-merger and post-acquisition conduct. *See Docket No. 249 (Brief at 4-7); Docket No. 285 (Brief at 1-5)*.

Respectfully submitted,

/s/ Joseph S. Tusa (JT – 9390)

cc: Counsel of Record (by ECF filing)

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